IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2533 OF 2002

Saudhar Gochan Kahar .. Petitioner

versus

N.T.C. (M.N)Ltd. & ors. .. Respondents

...

Mr.P.M. Patel for the petitioner

Ms.Nandini Menon for the respondent nos.2 and 3.

CORAM : D.G. KARNIK,J.

DATED : 11th July 2005.

P.C.:

1. Heard learned counsel for the parties.

2. Learned counsel for the parties state that the facts in this petition are similar to the facts in Writ Petition no.2587 of 2002 decided on 29th June 2005.

3. Learned counsel also state that the point of law involves in both the petitions are identical and therefore similar order should be passed. Hence, for the reasons recorded in my order dated 29th June 2005 in Writ Petition no.2857 of 2002, the following order is passed.

4. Petition is partly allowed. Impugned judgement and order is set aside and the matter is remanded back for re-hearing before the Industrial Court, Mumbai.

5. Petitioner is permitted to carry out the amendment in the complaint to incorporate the events which have happened subsequent to the filing of the original complaint. Respondents are permitted to file their written statement/amend the written statement if filed already. The matter shall be decided afresh in the light of observations made in the order dated 29th June 2005 in Writ Petition no. 2857 of 2002.

6. Parties shall appear before the Industrial Court on 1st August 2005.

D.G. KARNIK, J